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JAN. 25. 1684.

J O. BATTELY, *Reverendissimo*
Patri ac Domino, Domino WIL-
HELMO, Archiepisc. Cantuar.
& Sacris Domesticis.

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(41)

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A
DISCOURSE
OF
DUELS,
SHEWING

The Sinful Nature
And
Mischievous Effects of Them,
AND

Answering the usual Excuses made for them

BY { CHALLENGERS,
ACCEPTERS,
AND
SECONDS.

By T. C. D. D. 1704.

L O N D O N,

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THE

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SECOND

BY T.C.D.B.

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THE

A

DISCOURSE
CONCERNING
DUELS.

THough we have too many Instances of Mens acting contrary to the Principles they profess, and breaking the holy Rules of Christianity while they glory in the Title of *Christians*; yet there are none that do either contradict more Laws of the Blessed JESUS, or glory more in the breach of them, than those that Fight Duels: The Gospel teaches nothing more frequently, it requires nothing more strictly, than Peace and Charity, Forgiveness and Patience: It enjoyns us *to love our Enemies, to bless them that curse us, to pray for them that despitefully use us* (a): it commands us to suffer two Injuries rather than to do one (b); it forbids us *to render to any man evil*

(a) Matth. V.
44.
(b) Ver. 39.

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(c) Rom. XII. 17. *evil for evil* (c), and by no means allows us
 (d) — Ver. 19. *To avenge our selves* (d). Yet there are many
 that pretend to the Name of Christians, who
 are so far from forgiving their Enemies for
 great Injuries, that they quarrel with their
 Friends for little ones, and will not pass by
 the least seeming Affront without a barbarous
 and bloody Satisfaction; not considering that
 while they are so tender of their own Honour,
 they wound the Honour of God, and bring
 a horrid Scandal upon the Gospel of Peace,
 bidding defiance to Jesus and all his Laws,
 at the same time that they defie him who hath
 offended them: Wherefore it is high time to
 check this bold and daring Impiety, and either
 by Arguments to convince and reform the
 Criminals, or to vindicate our holy Religion
 at least from giving the least permission to this
 brutish Vice. The Pharisees indeed by their
 corrupt Glosses had perswaded the Jews, that
Moses Law allowed them to hate their Ene-
 mies (e). And the Talmud affirms, *He is no*
Disciple of the Wise Men who doth not avenge
 (f) *Bab. Kama,* *himself, and keep Enmity like a Serpent* (f).
 cap. 10. §. 10. And in like manner the Pagan Philosophers did
 not condemn returning Evil for Evil, but
 affirmed, *That kind of Revenge was justifiable,*
 (g) *by which we keep off or retaliate Violence or*
 (g) *Cicero de* *Affronts* (g). So that if these Gentlemen were
 Jews or Pagans they might have some Excuse;
 but Christ and his Apostles utterly con-
 demned all Revenge; and the Primitive Chri-
 stians,

stians, who deserved no Enemies, and yet had many and very bitter ones, were strictly enjoyned Patience, even when they had neither Laws nor Magistrates to vindicate them; and they then bore all kinds of Injuries and Indignities, leaving it intirely to Almighty GOD, in his own method and at his own time to Right them: And shall we allow such Men to lay claim to the same glorious Title of being *Christians*, who suffer far less than our Primitive Predecessors did, and have not only the Divine Justice, but good Laws and Religious Magistrates to vindicate them? And yet are so Proud and Furious, that upon the least shadow of an Affront they will neither stay for Divine or Human Justice, but make themselves both Judges and Executioners too of that rash and bloody Sentence, which without hearing or examining they passed upon their offending Brother in their outrageous Passion; and nothing less than hazarding his and their own Lives in a barbarous Duel must be their Satisfaction: Which abominable Practice, though it be supported by pretences of Courage and Fantastic Honour; and extenuated by alledging the Fashion of a vicious Age, and many wretched Precedents: Yet I hope to prove it to be the most Unchristian and Imprudent, the most impious and dishonourable thing that is openly done among Men that own any Religion: which I shall endeavour to evince, by making it clear,

First,

A Discourse concerning Duels.

First, That the Original of Duels is Paganish, and derived from the Heathens.

Secondly, That the Nature and Effects of them are Impious and Intollerable.

Thirdly, That the Excuses made for them are extremely frivolous and weak.

First, That Duels are derived from the Heathens is manifest, because the Jewish Law which allowed *an Eye for an Eye, and a Tooth for a Tooth* (h), did not permit private Men to take this Revenge, but the retaliation was made by the Sentence of the Magistrate (i), and there is not one Example in all the Old Testament of two private Persons Challenging each other upon any peculiar Quarrel: And for the Gospel, the Rules thereof do every where forbid it (k); yea, it was once the distinguishing Character of a Christian by which he was to be discerned from Men of all other Professions, *That others loved their Friends, but these only loved their Enemies* (l); wherefore though it had been the barbarous custom of Pagan Rome, to allow the Gladiators to fight and kill each other, to entertain the Company in Public Shew, or to honour the Funeral of some great Man: Yet they were only Slaves and Malefactors who fought these infamous Combats. But the Canons

(h) Exod. XXI.
24.

(i) Deut. XIX.
18.21.

(k) Rom. XII.
19.
1 Pet. III.9.

(l) *Amicos enim diligere omnium est, inimicos autem, solum Christianorum.*
Tertul. ad Scap.

nons of the Christian Church, Excommunicated all that did but stand by and look on these bloody Spectacles (m), and would not admit a Fencing Master into their Society, declaring them to be no less than Murderers (n). And as soon as ever the Emperor *Constantine* became a Christian, the Historian notes, *That he suppressed Idolatry; and suffered no more Single Combats* (o). Yet those Duels, when fought by condemned Criminals, who must have died by the hand of Public Justice, were far more innocent and excusable, than these for which our Age is infamous: Which are so Barbarous, that I would not look for their Original among so civilized a People as the Heathen *Romans*, but judge it more probable they were derived from the Manners of those rude and incultivated Northern Nations, who afterwards overspread the *Roman Empire*, and brought in this as well as many other Pagan Customs among the Western People, where they planted themselves. It was these fierce and fighting Ancestors of ours who before their Conversion worshipped *Mars* for their chief God, and at first had no other Image but a Sword to represent him by, *To which they offered Sacrifice, and by which they solemnly Swore when they made Leagues and Covenants*, as many Authors testify concerning the *Scythians, Germans, Danes*, and others of that Race of Men (p). Now it is no wonder that these Barbarous Nations determined all their Controversies

(m) *Tertul. de Spectac. per Totum.*

(n) *Idem de Idololatr. c. 11.*

(o) — *ἡ παλαιὰ καὶ ἡ νεωτέρα ἱστορία. Secrat. lib. 1. cap. 14.*

(p) *Clem. Alex. in Protreptico. Solin. de Scythia.*

Arvntin. de Germ. Annal. l. 2. p. 144. de Danis lib. 4. p. 318.

Vide item Am. Marcellin. lib. 17. pag. 107.

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troverfies by the Sword, and thought he that got the Victory had ever the jufter Cause, and was moft acceptable to the Gods: For fo *Procopius* relates, That when the *Lombards* and *Heruli* were about to engage in Battle, the *Lombards* called on their God to witnefs the Equity of their Cause by giving them the Victory over their Foes: And *Tacitus* tells us, When the German People fought with one another, they took a Captive of their Enemies, and one of their own People, and making them fight, judged of the event of the War by the fuccefs of this Single Combat (q). And nothing is more ufual in the History of After-times, among thefe People, than the deciding Matters in Queftion by the Sword, becaufe they fupposed he who had the Right would always be the Victor, and therefore their very Laws did direct and allow this way of Trial in many Cafes (r). Which falfe Notion, and the impious Custom that grew from it was fo rooted in the Minds of thefe People, that after they became Chriftians, their Princes were forced to permit Men to Fight for determining their Rights, only obliging them, To come before the Count of the place, and Swear by their Creator, it was their defire, he who had the jufter Cause might get the Victory (s). Yea, fo inveterate was this Barbarous ufage grown, that though good Men always declaimed againft it, calling

(q) *Tacit. de morib. German.*

(r) *Leges Angilulphi Lomb. Reg. An. 593. Vid. El. Schemm de Diis Germ. pag. 440.*

(s) *Caram Camite — testificentur Deum Creatorem, ut ejus fit justitia*

Leg. Dagoberti, An. 630. Capit. Tom. 1. pag. 81.

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it an *abominable Custom* (t), and the Church frequently condemned it; yet Men would not leave it, so that some Ecclesiastical Councils were obliged only to give Rules for the most innocent Management of it, as that in *Bavaria* in Duke *Tassilo's* time, by examining, searching, and binding the Parties by Oaths, &c. (u). But by degrees the Bishops more vigorously opposed these Combats, and decreed the Conqueror should be excommunicated, and the vanquished denied Christian Burial (w); and lest their Canon should not prevail against so rooted a Practice, That Council resolves to Petition the Emperor to remove this impious Custom, which was so very destructive, not only to Mens Bodies, but to their Souls also: About five Years after Pope *Nicholas* writes to the Emperor *Lotharius*, not to permit the impious Custom of trying Causes by Duels, which are a mere tempting of God, An. 860. But notwithstanding all the Endeavours of Bishops and Councils, the Records of following Ages make it evident, that Duels were still in use in this part of the World, not only for gaining Honour, as in *Justs* and *Torneaments*; But also for deciding Causes: And particularly in our own Country of *England*, if any man were injured in his Reputation, the Court Martial granted him a Licence to vindicate himself by Combat, and so did the Civil Court when Titles of Right could not be otherways determined: 'Tis true, they brought this

(t) *Removet*
confuetudines
abominabiles
 (u) *—*
 & 27. *—*
Car. recurrens
ad Monna-
chum *—* *—*
Calliditas
 (w) *Concil. in*
Bavaria. An. 777.
Ein. Tom. III.
par. 1. §. 1.
pag. 427.
 (w) *Concil.*
Valentin. Cap.
12. Ibid. §. 2.
pag. 397.
An. 855.

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(x) Vid. *Spelmani Glossar.*
pag. 100.

* *E Registro*
Rad. de Salop.
fol. 413.

this brutish remain of Barbarity under divers Rules, Ordering Tryers, Searchers, and Judges; as also, that a Priest should Swear both the Champions, and then that the High Constable should give the Signal for Battel in these words, *Let them fall on to do their Duty in the Name of the Lord* (x). Nay, sometimes the Church seemed to comply further, even to appoint Public Prayers for the success of Duels, as appears in the Instance of *Henry Duke of Lancaster*, Anno 1352. who having been inform'd of some reproachful Words spoken against him by the Duke of *Brunswike*, resolv'd to Sail over into *France*, and fight him. But before he would commit his Innocence to the Trial of the Sword, he writes to the Bishops of *England* to assist him with their Prayers, and to recommend him and his Cause to the Mercy of God. And accordingly I find, that *Rad. de Salopia*, Bishop of *Bath and Wells*, did enjoyn all the Clergy of his Diocess to exhort the People in their several Cures every Sunday and Holyday, with all humility and devotion, to beg of God, who is the giver of Victory, that he would appear for the Honour of his Holy Name, and the clearing the Truth of the Noble Duke, and the Glory of the *English* Nation, by giving success to his Arms *. As if they still fancied something Religious in these Unchristian Courses: But still Wise and Holy Men utterly disliked them even under all these

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these Formalities. And the Council of *Toledo* declared, That such as died in any of these Combats should not have Christian Burial, and that the Priest who presumed to bury them should be Suspended ab Officio & Beneficio for Six Months (y). Yet within Fifty years after, there was a public Duel fought in *Spain* by two Men of Quality in the Emperor's Presence, who was forced to permit it, because the Laws ordered it upon request of both the Parties (z). Nor could this kind of Combating be removed until the pious Preaching of Protestant Divines had cast it out of all the Reformed Countries, and that Severe Canon of the Council of *Trent* (which excommunicates and deprives any Prince who suffers them in his Territories (a)) banished them out of those Nations who depend on the See of *Rome*: But neither they nor we, as yet, have been able to extirpate the more barbarous and bloody Custom of Two Men upon a private Pique fighting with and often killing one another: The former kind of Duels rarely ended in Murder, because there were so many Spectators and Persons ready to take the Champion off: But these are agreed on in Passion, and yet carried on so secretly, conducted so rashly, and managed so privately, that they do too often end in Blood: Concerning which we may justly say with the fore-cited Council, *The use of them is detestable, and the inventor of them was the*

(y) Concil. Toledo. An. 1473.

Bin. Tom. 4.

par. I. pag. 749.

(z) Camerar. Oper. Subseciv. Tom. 2. cap. 21.

(a) Concil. Trident. Sess. 25. Can. 19.

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the Devil, teaching Men by destroying one anothers Bodies, to damn their Souls also: And surely whoever considers how strictly God hath enjoyned Patience and Forgiveness, and how severely he hath forbid Malice and Murder, can never imagine that he doth by Duelling refer his Cause to God, or appeal to his Justice; since he that tramples on Gods Laws, rather puts himself out of Gods Protection, than entitles himself to his Providence: The Pagans might fancy their imaginary Deities doted on the Courage of a daring Hector, and that such Gods as they use to worship with human Sacrifices, might like Men the better for being Murderers; but our God is a hater of Injuries, and of Revenge too; He abhors a Blood-thirsty Man, and is so justly angry at both the Challenger and the Acceptor, that it can be no sign of Gods approving his Cause whom he permits to come off the Conqueror: So that the very Notion upon which the Heathens founded their Duels is false and a ridiculous Mistake; and after we perceive that, if ever we engage in them, we are more unpardonable than they. And this may suffice for the Original of these Combats, which are so evil, that we can expect no other but foul Water from so polluted a Fountain, and bad Fruit from so bitter a Root (b), as we shall find when we come to consider their Nature and Effects.

(b) Καὶ ὅ-
ρα καὶ ὅ-
δὲ Prov.
Græc.

Secondly,

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II

Secondly, We shall prove the Nature of these Duels to be Impious, and the Effects of them Intollerable; which will appear by shewing,

First, That by this one Act these Men commit a great and grievous Sin against God.

Secondly, They offer an unsufferable Affront to the King and his Laws.

Thirdly, They do an inexpressible and irreparable mischief to their own selves.

First, The engaging in a Duel is a great and grievous Sin against God: and since the transgressing any one of his Laws is Sin, and the Wages of every wilful Sin is Death (c), how heinous a Crime must this be, and how heavy Vengeance doth it deserve, which at once breaks so very many of the holy Laws of so great and glorious a God? This is the transgression of all those Commandments of his which enjoin us to bear Injuries with meekness and patience, yea, to forget and forgive them, which require us to love and pray for our Enemies, yea, to win them by doing Good against Evil, which oblige us to live peaceably with all Men, and to be in Charity with all the World: This breaks all those Laws which forbid us to be soon angry, or highly pro-

(c) 1 Joh.III.4.
Rom.VI.23.

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(d) Matt. XVIII.
22. i. e. 490.
vicibus: Sci-
licet ut toties
fratri peccanti
dimitteres, qu-
ties ipse peccare
non potest.
Hieron.

provoked, or to let the Sun go down upon our Wrath; which charge us to bear no Malice nor Hatred in our Heart, and to hurt no Body by word or deed; which prohibit us to bear any grudge to our Neighbour, though he should offend us by Seventy times seven Injuries in one day (*d*), and threaten us with condemnation for our own Trespases, if we revenge our selves upon our Brethren who trespass against us. The enraged Hector tramples upon all these Laws at once, and pursues his own Inclinations in defiance to that Divine Authority which did enact them, and doth not value though he dye in the wilful transgression of them all, without any possibility of Repentance, or Capacity for a Pardon: I have been told indeed, that some of them have had the confidence to say the Lords Prayer before they begin this open defiance to the Author thereof; but I wonder they should not consider, that by their resolving not to forgive, they renounce all their own hopes to be forgiven: And for a man to be so implacable in his Malice, and intent upon his Revenge, that for the satisfaction of these Brutal Appetites, he neither fears the Anger, nor values the Favour of Almighty God, neither dreads that terrible Tribunal where he must give a strict Account, nor cares what becomes of his precious and immortal Soul, and acts as if the execution of his Malice were so sweet, that he despises eternal Joys, and throws himself

himself into everlasting Torments, to procure it. This temper doubtless argues a Man utterly void of Religion, destitute of all Sense of Goodness, hardened in Implety, profligate and Atheistical in the Highest degree: A Man who hath any Fear of God, or firm perswasion of an Eternal future state; A Man whose Conscience is not scared, and his Mind extreamly blinded and obdurate, durst not act at this irreligious Rate: Nor can I see how he can pretend to believe there is a God that judgeth in the Earth, that will render to every Man according to his Works, and right all our Wrongs either here or hereafter, who will leave nothing for this Supreme Judge to do, but will judge his own Cause, and right himself upon all that offend him. This is to renounce the Authority, to disown the Providence, and doubt of the Justice of Almighty God: *What respect* (saith *Tertullian*) *do we shew to our Supreme Lord, if we will needs right all our own Wrongs*(e)? If we should come into a great House, and find the Servants for every petty Quarrel beating and killing one another, without any deference or application to their Master, we must think the Family was ill governed, and that the Servants had no Reverence for their Lord's Authority, or no opinion of his Justice: And is it not as great an Affront to the Lord of Heaven, when his

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pre-

(e) *Tertul. de patient. cap. 10.*

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pretended Servants, who live in his House and eat of his Provisions, have no regard to his Judgment, nor confidence in his Promises, but will destroy each other for every little provocation? It was wisely urged by the old *Egyptian Monk*, when he could not persuade his Scholar to lay aside his resolutions to be revenged on one that had injured him: *Take notice (saith he) that you declare from henceforth you have no trust in Gods Providence, nor need of his Care, since you now undertake to do your self right, and manage your own Affairs without any regard to him: At which the Angry man started, and this Consideration made him willing to refer it to Gods Judgment (f).* S. Paul tells us, *We must not avenge our selves, but give place to Wrath*, Rom. XII. 19. That is, stay till God the Judge of all see fit to execute Wrath upon the Offender; and indeed *Wrath* (in the phrase of that Apostle) signifies *Punishment*, and ought to be expounded in that place, of the Penalties which God in his wrath will inflict upon injurious Persons, as appears from the next words in that Verse, *For it is written, Vengeance is Mine, I will repay, saith the Lord.* And when we have such a Precept and such a Promise, for us not to obey the one nor trust the other, is to offer the highest Affront imaginable to the Divine Truth and Justice: But after all these aggravations of the Crime, the main Wickedness is yet behind, and

(f) Coteler.
Monum. Eccl.
Graec. Tom. I.
pag. 663.

and that is, That whosoever is engaged in a Duel is guilty of the horrid Sin of Murder, and breaks the first and greatest Negative Precept of the Second Table; as will be evident if we consider, that God being the Author of Life to all Men, he only originally hath the power to take it away: Princes themselves have the power of Life and Death only by Delegation, for *S. Paul* tells us, *they are Gods Ministers*, and by him they are made *Revengers to execute Wrath* (g): But private Men have no power over their Neighbours Lives or their own; and if they take away theirs, or cast away their own, they are certainly guilty of Murder; which is one of the most Crying Sins in the World, being the taking away all a Mans worldly Comforts, and the dearest thing which God hath given, him at once; the cutting off all that time in which there is a possibility of securing his Salvation, and destroying the Image and choicest Workmanship of God. When *Theodosius* had ordered many of his Subjects to be slain for demolishing his own Brazen Statue, an Holy Man allayed his fury by telling him, *If his Majesty were so angry for the defacing one of his own Images, the great Creator of all would be much more justly incensed at him, for destroying so many of his living Images* (h); and if the certain Discovery of, and severe Vengeance for this dreadful Crime

(g) Rom. XIII. 4

(h) Theodoret. histor. l. i. c. 2.

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(which we see often in this World) be observed, we shall be convinced no Sin is greater or more provokes the Almighty: Yet in these Duels we either voluntarily and deliberately commit this Sin, or force another to commit it; or however we put our selves and our Neighbours into all the probabilities imaginable of becoming Murderers: And though by an undeserved Providence both should come off safe, however we have done all in our power towards the incurring the guilt of Blood, and at Gods Bar, where Intentions are known and judged (without a great Repentance) we shall receive our Sentence accordingly: We came prepared with Instruments of Death, and used our best skill and our best strength to destroy our Neighbour, and we must answer for the wickedness of attempting it, while God alone must have the glory for preventing it (i). And as to our own Lives, they are only Lent us till God shall please to call for them; we have no absolute propriety in them or dominion over them; so that to expose our Lives to a needless danger, is to stake and lay to pawn that which is not our own; and to cast them away is to defraud our Maker of that Pledge which he entrusted us withal; and This perhaps our Law intends when it calls a Self-murderer *Felo de se*, that is, one who hath stolen away himself; and on that account, the Athenians

cut

(i) *Nulla laus
est non facere,
quod facere
non potes.
Lactant. Inst.
1.6.*

cut off such Mens right Hand after they were dead, as that which had been a Thief to the rest of the Body, and done Violence to the whole Man (k). 'Tis true in this Case the Dueller falls by anothers Hand, but he ought to be accounted a Self murderer for all that, because he voluntarily and deliberately exposed himself to that Sword by which he fel^d King Saul is reckoned among the Self-murderers, though the Amalekite finally killed him; but his Case was far more excusable, being fighting for his Country, and reduced by his Enemies to the dire necessity of dying by his own or by their hands: Whereas these desperate Persons create the danger into which they fall, and lay that very Snare in which they are Taken, and so rashly and wilfully throw away their precious Lives and all their hopes of Heaven together. Doubtless the Ancient Church judged these to be Self-murderers, and therefore they allotted them that which was always the punishment of Self-murder, that is, to want the Rites of decent Burial (as we have seen before): For all civilized Nations in the World have agreed in this, That no Man who destroyed himself should have the usual Funeral Rites performed for him. This was the opinion of the Jews (l) and of the Gentiles, both Greeks (m) and Romans (n), and so it was of the Christians,

(k) Aeschines
in Ctesiph.

(l) Joseph. de
bell. Jud. l. 3.

cap. 25.

(m) Aul. Gell.

l. 15. c. 10.

(n) Servius ad Aene.

as

(o) Concil.

Bracar. I.

Can. 16.

Capital. Franc.

addit. 4. cap. 59.

Regis Edgar.

Canon 15. ap.

Spelm.

as is manifest from the old Canons (o), and therefore they very justly imposed this Penalty upon such as were slain in any Duel, who were really Murderers of themselves, and dyed with the purpose of Murdering another. Wherefore we may justly condemn this as a great and grievous Sin against God, which in so many Instances despises the Authority, violates the Laws, distrusts the Justice, and entrenches on the Prerogative of the King of Heaven, which certainly involves the Criminal in the guilt of one Murder, and may probably deliver him up to suffer the Divine Vengeance for two, that is, his own and his Neighbours also.

Secondly, The engaging in a Duel is an unsufferable Affront to the King, and the Laws; it injures the Government under which we live, and the Society whereof we are Members; And for this reason our Laws inflict Death (the highest of all Penalties) upon him that comes off the Conqueror; and the Punishment is most just, because it is grounded upon that Original Law of God, given to the Sons of Noah, and obliging all Mankind, *That whoso sheddeth Mans Blood, by Man shall his Blood be shed* (p); Which Law was observed among the Patriarchs, long before the Ten Commandments were given, as appears from *Rebecca's* Fear of losing both her Sons in one day, intimating that if they should fight, and one

(p) Gen. IX. 6.

one of them be slain, the Survivor must dye by the hands of an Executioner (q); and we ^{(q) Gen. XXVII, ver. 45.} shall find this Rule so universally observed among all Nations, as if it had been a Law of Nature, and a piece of Justice written on the Hearts of all Men. But if it be enquired, Why the Government should be obliged to execute this Divine Sentence upon these who pretend to Fight for Honour and not with designs of Blood? I Reply, It is but a just retaliation for the Injury they do and the Affront they give, to the King and his Laws: First, As to the King, if any have deserved Wrath, that is, Punishment, he only originally is entrusted by God with the Power of the Sword, and none can take away the life of any Criminal but such as are Commissionated by him (r). ^{(r) Rom. XIII. 3, 4.} If a Private Man judge his own Cause, and kill his Enemy, tho' never so worthy of Death, he usurps the Kings Office, and is a Murderer: Besides, all the Kings Subjects owe him Service, pay him Tribute, and on a just occasion are obliged both by their Purses and Persons to defend their Prince and their Country; so that whoever takes away the Life of any one of the Kings Subjects illegally, deprives him of that Service and Assistance he might have had from this Person; and therefore in all Cases of Murder, the King (as the Party injured) is the Prosecutor; And so he is in the present Case, because he by this Duel loses a Man, whose
Courage,

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Courage, Strength and Interest might have been very serviceable against a Common Enemy; And the Murderer ought to dye as well to satisfy for the Injury he hath done, as to prevent him from doing any more such mischief after he be once hardned by Blood-guiltiness. And as the Kings Majesty is the great Keeper of the Peace, none ought to be more severely punished than those, who by these bloody Frays break the Peace in the Highest degree, without any regard to the Kings Authority or fear of his just displeasure. As for the Laws, this practice subverts the very Foundation upon which they are built; for we are told by *Honorius* and *Theodosius*, That the Reason why Judges are appointed, Laws made, and Tribunals set up, is to protect us all, and that no Man may revenge his own Cause, nor force others to any unlawful Satisfaction. *Leg. Honor. & Theod.* But our Fighting Blades, take no notice there are either Laws or Justice in the Nation, and Act as if there were no Right to be had from public Judicatures, they proceed as if they lived in a Savage and Ungoverned Country, and will be Judges and Executioners too in their own Case, and in defiance to all those wise Methods which our Laws provide for equitable Satisfaction: So that while these Men pretend they are affronted by a private Man. They themselves give the Highest Affront imaginable to the Public Justice: And though they

they will not put up a small Injury or Scandal from their Equal, they hope to be Pardoned, though by undertaking to right themselves they bring the most unjust and unsufferable Scandal upon the Government, that can be given to it, because they act as Men must do in times of Anarchy, or in places where there were neither Laws nor Magistrates, which in a Well-governed State is most intolerable. Perhaps they will say, That the Law doth not provide any Satisfaction for this Injury which they have received? I Answer, This is to arraign the Laws, and reproach them as very unjust and imperfect, to allot no Penalty at all for an Offence, which these Gentlemen think deserves Death; but indeed they look on the Injury through the Magnifying Glass of Pride and Passion, and are partial in their own Cause, and so fancy it bigger than the Law (which judges without Prejudice, Passion or Partiality) esteems it to be, and the Laws would be as ridiculous as Drink and Rage makes these Hectors, if they should set down severe Penalties for an innocent Jest, a hasty Word, or an accidental Blow, which many times are all the Cause of these Quarrels: So that in our Well-governed Country there is no ground for this pretence of the defect of Laws, since either the Offence is a little one, and below the cognizance of a grave Magistrate, and then we ought to bear it and pass it by; Or

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if it be a great one, there is certainly reparation to be had from our Laws, which do punish any that really hurt us in Body, Goods, or good Name: And therefore when they are driven out of this Hold, they fly to another, and alledge, That it is an Argument of a mean and base Spirit, and a dishonourable thing to seek for Satisfaction by due Course of Law. 'Tis true, the most Honourable way of all is to imitate the Divine Majesty and the Best of Men, and wholly to forgive these Injuries and Affronts without any Satisfaction; But if the Wrong be very great, and may prove very prejudicial, or if the Offender be very insolent, so that it be necessary to give him some check, it is a wise and honest Method, and so cannot be dishonourable, to seek a Legal Satisfaction: Sure I am, the Makers of our Laws, and those who Administer Justice by them are all very Honourable, and it is intollerable for an angry *Brave* to despise them all, and count it a base thing to refer his Cause to them: Nor can any Man easily apprehend, how it should come to be an infamous and dishonourable thing, to submit our Cause to be tryed by Wise Rules and Honourable Persons, who without Passion will hear and determine it according to Right, and give us all the recompence we deserve; And it is no Credit to us to be so unreasonable or unjust to desire any more than Prudent and

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Impartial Men judge we ought to receive. Again, We Act like rational Creatures, when we are willing to let Law and Reason decide our Differences, and examine our Grievances; But we Act like brute Beasts, when with Savage Fury we fall upon one another for every slight occasion; if we had no Reason, we might then right our selves with Teeth and Nails, with Heels or other Instruments of Revenge; but this no way becomes Men, nor will these Gentlemen ever perswade the Wiser part of Mankind, that it is more Truly Honourable to act like Wild Beasts and Brutes, than to demean our Selves as Discreet and Civilized Persons ought to do. There are it may be some shews of Courage in this, but it is so brutish and so ungovernable a Courage, it is so void of Piety and Discretion, that it is no Honour to be endued with it, and he that is Master of it, is fitter for the Conversation of barbarous *Indians*, or the Company of Outlaws and *Banditti*, than to live in a Well-governed Commonwealth, or enjoy the Society of Wise and Sober People, who will always be in danger to pay the price of their Blood for such wretched Company: And it is the Interest of all Governments to suppress such kind of unsociable and desperate Persons, by the severest Penalties and most rigorous Executions, which Method did effectually curb this unsufferable Exorbitancy in one of our

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Neighbour Nations, and will do it here, because they who neither fear God, nor reverence Laws, and dare dye in a vain Quarrel, are afraid of an infamous Doom and the scandal of a publick Execution. But what less can they deserve who usurp the Kings Office and destroy his useful Subjects, who despise his Laws and the Ministers of Justice, and dare deliberately do the greatest Mischiefs? Let us but consider how many Persons these Daring Men injure at once; the Man they kill may be perhaps the Child of tender and affectionate Parents, the sole Heir of an Ancient and Noble Family: He may be the Husband of a dear Wife, and the Father of sweet and hopeful Children; He may be one on whose Life the Welfare of many of his Friends and Servants depend. Now all these innocent Persons are deeply wounded by that one fatal Blow, and by one Cruel Act, many, who no way contributed to the Fault, are made extremely miserable. And it is still a sadder Consideration, when the innocent Friends of both sides have equal Sorrow, because one dyes in a foolish Quarrel, and the other (if he meet with his deserts) by the Hands of Public Justice. 'Tis very dismal to Consider, what innumerable Mischiefs may be the fatal Consequences of this one rash Act, and yet they commonly arise from a small and inconsiderable Spark, from rash words in Gaming, Drink, or Passion; from

from accidental and no ways ill-intended Actions, and yet we may sadly behold how devouring a Fire this little Spark kindles, in which not only the Guilty, but even the Innocent also are scorched or consumed. Doubtless these things ought by all lawful Means to be prevented in every Well-ordered Society, for they strike at the very Root of Government and Laws, and take away all that Safety and Peace which Men expect from those Magistrates whom they obey; they are such bold and open Injuries and Affronts to the King and his Ministers of Justice, and are attended by so black and fatal a Train of Consequences with respect to many of his best Subjects, that all disinterested Men must acknowledge those Resolutions of Severity toward the Criminals which His Majesty hath taken, are very Just, very Necessary, and very Prudent.

Thirdly, We are to shew that hereby they do an inexpressible and irreparable Mischief to their own selves: For as to their good Name, which these Men fancy they are about to vindicate and secure, they make themselves suspected by all, because nothing but a sense of Guilt could make them so implacably angry; yea, they do for ever forfeit their Reputation among grave, wise and good Men, who afterwards reckon them among the Irreligious and
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Disorderly sort of Men. Besides, it is so rash and desperate a thing to venture our precious Lives upon every slight occasion, that the Criminal can never wipe off the Blot of Imprudence and Inconsideration. We esteem them to be profligate and unthinking Men who stake their Livelyhoods and Estates at a hazardous Game, and *Tacitus* censures it as a piece of barbarous Folly in the old *Germans*, to Play at Dice for their Liberty, so that the Loser was to be a Slave for ever after (r). But is it not greater Madness to stake a Mans Life, and hazard the loss of it for a nice Punctilio of mistaken Honour? Considering that with our Life we lose all our Worldly Enjoyments at once; And it were happy for such as dye in these Quarrels, if that were all their Loss, for they stake also their Immortal Souls, which our Lord hath taught us to be more worth than the whole World (s), and if they lose their Lives, it is more than probable they lose their Souls also; For none are generally looser in their Lives, and less fit for Death, than such as engage in these Duels; they need a long time of Repentance, yet have no time at all, because by this desperate Act they deprive themselves of the only time which God allows them to Repent in. Repentance is only to be performed while we live; for that Anguish which the Damned feel in another World, is only a Sorrow for the punishment, not a dislike of the

(r) Tacitus de
Mor. Germanor.

(s) Matth. XVI.
26.

the Sins which they are then incapable of committing; we can only amend our Faults while we are in this World, and so can choose or refuse Good and Evil, but without Amendment there can be no true Repentance; wherefore as *S. Salvian* speaks, *The Repentance of the Dead comes too late*: Whence it follows, that such as dye in these bloody Quarrels, have not only the guilt of innumerable other Sins upon them, but dye in the endeavour of committing Murder, and fall with the guilt of Murdering themselves, for which Sins they never can repent, because they dye in the Commission of them, and consequently by all the Rules which the Gospel gives us to judge by, they can never be forgiven, but their Eternal state is desperate, and irrecoverable. And how deplorable a thing is it for a Man to be so blinded with Rage and Passion, that he exposes that slender Thrid of his Life to be suddenly cut in sunder, on which all his Capacities of Repentance, and all his Hopes of Heaven hang: For a Man to be so void of Sense and Consideration as wilfully to hazard the being suddenly snatch'd away and brought before Gods Tribunal with the guilt of Murder and many other Sins upon him, for which he is likely to be condemned to Eternal Flames, is really a woful Case. How unhappy a Mistake is it for Men to call That being Revenged on their Enemy, which brings the Divine Vengeance upon themselves.

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(t) Amos V. 19.

(u) Ἐτραχέ
 πρὸς μὴ βραχέ-
 σιν, καὶ ἐς
 βάθος ἀπὸ πρὸς
 πύργου. Suidas.
 (w) Ammian.
 Marcel. Hist.
 l. 4.

selves ; how inexcusable a Weakness must it needs be to leap into the Flames of Hell rather than endure a harsh Word, or the Censure of a few extravagant Men ? This is far worse than that Folly which the Prophet represents by *being met by a Bear, while we run from a Lion* (t), and the Greeks describe by *leaping into a Whirlpool to get out of the Rain* (u), or as the Latins express it, *Falling into the Fire to avoid the Smoke* (w). Indeed the Folly is so great and so outrageous, that we must conclude, those who make this Venture, are either so Atheistical as not to believe a God, and a Future State, or so fatally stupid as never to think of either, because it is Morally impossible for any Man to believe and remember these things, and act so extreme irrationally : And though Infidelity and Inconsideration may make these Men more bold and daring, they cannot prevent nor lessen that Eternal Misery, which is more sudden and more intolerable to those who did not believe or fear it. There is a Righteous God, and he hath threatned Murder, Malice and Revenge with Everlasting Damnation, and these things are no less certain, because some are so impudent as to deny them, and others so foolish as to forget them, so that the fearless security of these Men makes them no safer. Perhaps they will say, They hope to come off without losing their Lives ; But since the Danger is so great that it may happen, and the Misery so intolerable

rable and irreparable if it do, the bare possibility of saving their Lives can never excuse the Madness, or Impiety of venturing them. Though they have more strength and skill, or a better Weapon, one Slip or false Step, an Over reach, or the missing one Thrust may in one moment send them reeking in their Blood and Guilt to Gods dreadful Judgment Seat: and if their hopes of escaping be grounded on their expectation they shall kill their Adversary, this is only to hope a Man shall not suffer those endless Torments till afterwards which he deserves just now; but the respite is a small comfort, because it is no matter when that begins, which we are sure shall never have an end. Besides, by killing our Adversary we have forfeited our own Lives to the Law, and 'tis possible Human Justice may seize us, and then the Reward of our Victory is only to dye more shamefully; and after we have satisfied the Laws of the Land, alas we have God still to reckon with. It is possible indeed we may fly from Public Justice, but we can never fly from the Divine Vengeance, no nor run away from that frightful Guilt, which haunts and pursues Murderers at all times, and in all places: Or if Friends do procure our Pardon upon Earth, they cannot purchase our Peace, nor restore that Tranquility of Mind which in our Innocence we enjoyed; Our Life will be uneasy, and our Death (that will come at last)

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will be terrible and amazing, so that a Man can hardly tell whether he that Falls, or he that Survives needs most Pity, or suffers the greater Mischief. There is but one Pretence more that is made by some of the more generous Duellers, that they only aim at the glory of disarming their Adversaries, resolving upon that Advantage to give them their Swords and their Lives also: But how easily may they kill them before they can have the opportunity to disarm them, and is it not equally possible themselves may be slain in the Attempt? 'Tis certain they must wound a stout Man before he will yield his Sword, and how can they tell but that Wound may be Mortal; or perhaps when they feel it smart and see their own Blood, they may fall into a Passion which will make them forget their cooler Resolutions, and hurry them on to take away Life. To run into a Temptation, and choose such Circumstances, as makes so horrid a Sin as Murder, but likely to be committed: To venture a Mans own Life, and come so very near the Point of killing another, can never be excused by a few good Intentions; and he that will run into so great hazard of Everlasting Damnation, for the Imaginary glory of disarming his Adversary, declares himself an Atheistical and Irreligious Person, and sets more by a little popular Applause, than he doth by his own Soul: *He fishes (as the Proverb speaks) for Gudgeons with a Golden*

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Golden Hook, and buyes a Fantastic Glory too dear by far. Besides, some will think it was an Accident, and not his Skill or Strength that put his Adversary into his power, and therefore he is not sure of Commendation if this be the event, and he is sure of Damnation if either of them happen to be Slain; especially if he were the beginner of this fatal Mischief: And 'tis very Hard that Men can find no other way to manifest their Valour and Bravery but by hazarding the loss of two Lives, and the destruction of two Souls. Wherefore whatever the secret intentions and designs of the Combatants, or whatever the event be, the overt Acts are so wicked, hazardous and mischievous, that they can never make the Engagers innocent. And now to Conclude this part of the nature and effects of Duels, If we have any Fear of God, any Honour for our King, or any Kindness for our Selves, we must avoid this Practice which is as Rash and Foolish, as it is Impious and Mischievous; we must fly that Company which may draw us into this fatal Snare, be they otherwise never so witty and entertaining, for we pay too dear for their Conversation when our Lives and our Souls must be part of the Dreadful Reckoning: And if Men of Honour and Estates, whose Lives are more useful to their King and Country than those of other Men, would Consider these things, they would render these Combats infamous,

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mous by renouncing them, and make them in a short time as dishonourable as they are impious; and it were very fit so wicked and mischievous a Custom were disgraced and discouraged by all Worthy and Eminent Men, that so Duels might only be the Exercise of indigent and impertinent Huffs and Hectors. who do the World a Kindness when they rid it of one another. A little Piety and Patience, a small proportion of Prudence and Charity would take away all possibility of those Quarrels, which are so offensive to God, so scandalous to Religion, so injurious to the Government, and so mischievous to all that are engaged in them.

And now we might have concluded this Discourse, which might suffice to reform Men in this Point; but only there are Some pretended Arguments and Excuses for Duels, which we will patiently hear and carefully examine, in order to the compleat Satisfaction of all who are or may be concerned in them. But first, we must observe in the General, that only the Criminals excuse this Wickodness: 'Tis they that call the Christian Vertue of Forgiveness, *Cowardise*; and the brutish Custom of Fighting, *Courage*. 'Tis they who break these Commandments of God, that teach Men so, *Matth. V. 19*. Wherefore we must remember, That Ill-men are made partial by their Guilt, and

and no Wise Man will take his Judgment concerning the nature of a Fault who is himself faulty in that kind: For the Nature of Man being prone to Vice, would seem not only to Sin without blame, but to have good Reason for what is done amiss(x). And S. Salvian observes, That all Offenders think their Offences very small; so Thieves judge of Stealing, Drunkards of Excess, and the Lascivious of Wantonness, nor is there any Sin so great, but they who commit it will extenuate it(y). So that we must allow the Learned and Wise, the Prudent and Innocent part of Mankind to judge in this Case, and they do so universally and unanimously condemn Duels, that I could Fill a Volume with the Suffrages of Ancients and Moderns, Romanists and Reformed, all agreeing in this Point; but our designed Brevity not permitting this, let an excellent Bishop of our own speak for them all, who saith, *As for Duels extrajudicial and private, it is so unjust, so uncharitable, and so unreasonable, so much against all Laws of God and Man, so infinitely against the Piety of him that survives it, so infinitely against the Hopes of him that dies in it, that nothing can excuse it* (z). And therefore though there are many Pleas invented to make this impious Practice seem innocent, we doubt not to prove them all Vain and Frivolous, and since there are Three sorts of Persons concerned in these Combats, The Challenger, the Acceptor, and

(x) LaCiant. instit. lib. 4.

(y) Salv. de gub. Dei, lib. 4.

(z) Bishop Taylor, *Duel. dubitant. lib. 3. c. 2. p. 113.*

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and the *Seconds*; we will consider what each of these alledge in their own Vindication, and give a particular Answer to their several Allegations.

First, The **CHALLENGER** pleads, That He, or his Ancestors, his Mistress, or his absent Friend were reflected upon and abused in Words, or injured and ill used by some rude Actions, and this by so Vile a Person, and in so provoking a Manner, that no Man of Honour or Courage ought to bear it; and if he should have passed it by, he should not only have purchased to himself the infamous Name of *Coward*, but encouraged this Insolent Man, and others of like Humor, to abuse him more and more; and since it was only to Chastise this Insolence, and require Reparation for his Honour, that made him send the Challenge; he hopes all the World will acquit him, as one who did no more but what was Just and Necessary.

To which I Answer, That supposing Thou hast received a real Injury and Affront, yet since thou art only in a private Capacity, *Who made thee a Ruler and a Judge, Exod. II. 14.* Or by what Authority dost thou take upon thee to punish the Offender? Thou art a Party, and under the Transport of a Violent Passion, and therefore it is by no means fit thou shouldst
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at this time be a Judge in thy own Cause. The Grecian Orator saith, *The Law provides every man a Rule and a Judge for this very Reason, That Penalties may not be left to every private Man's Passion* (a); *Therefore* (saith Theodorich) *was the Reverence of Sacred Laws appointed, That nothing should be done by Violence, and that No Man act of his own Head; for what difference would there be between the serenity of Peace and the confusion of War, if all Difference must be decided by the Sword* (b)? If a Man will not pay the Mony we Lent him in his great necessity, though the Wrong be apparent, yet we must not go into his House, and rifle or seize his Goods without a Legal Process: There cannot be a greater Contempt offered to Magistrates and Laws, than to proceed in this Arbitrary manner. If any injure us in Word or Deed, *The Laws are open, and there are Delegates appointed, we may implead them for it* (c), and then the Matter will be calmly enquired into and fully understood, and we shall have a Satisfaction given us proportionable to the Damage we have sustained. So that there is no need for us to hazard our own Lives, or run into the danger of committing Murder for that Recompence which the Law will give us: But if it be such an Offence as the Laws take no Cognizance of, as we are Gods Servants we are obliged to leave the Matter to his Judgment, who hath declared and promised, He will right

(a) Demosthenes.

(b) Ap. Cassiodor. Varior. lib. 4. ep. 10.

(c) Acts XIX. ver. 38.

right our Wrongs, and reward every Man according to his Works: So that if we be perswaded of his Truth and Justice, we may wait patiently till the Great Judgment come. And as we are Christians, we are bound in the mean time to forget the Injury, and forgive the Offender, praying to the Lord to forgive him also. And if we seriously weigh the Matter, there are many cogent Arguments to engage us freely to forgive such Injuries and Affronts: Perhaps the Man was inflamed and disturbed with Rage and Passion, and when his Anger is abated, probably he may be made sensible of his Fault, and brought to own it and ask Forgiveness; in the mean time we should take no more notice of it, than we do of the raving Discourses of a Frantick Person; for as *Cato* notes, *Anger differs from Frenzy only in that it is sooner over* (d). Or, it may be his Head was hot with excess of Drink, and his Words were not to be ascribed to his Ill-nature, but only to the want of his Reason: The Man was for that time possessed with an Evil Spirit (e), and had not his Wits about him, and so merits rather our Pity than our Anger. Perhaps he hath been Misinformed by some malicious Whisperer, and only repeats what others invented; so that a little pains may rectifie his Apprehensions, and make him recant his Mistake. Or, it may be we misconstrue his Words, and interpret his Deeds otherwise than he intended them, and then

(c) Τὸν ὄργη-
ζόμενον τὸ
μαρτυροῦν,
καὶ τὸν χυλόν
διαφύγειν.

Plutar. Apo-
theg. p. 199.

(e) Ἡ μὲν δὲ
αὐτοματὴς
ἐστὶ δαίμων.
Chrys. hom. 29.
in Gen.

then the Injury is meerly in our Imagination, and so cannot deserve a bloody Satisfaction. Add to this, That we our selves have often spoken Rashly and acted Foolishly, for which we have repented as soon as we could consider, and perhaps our Adversary doth repent and condemn himself before our Challenge comes; however since we so often need Pardon both of God and Men, we ought not to be backward to Forgive our Brethren, who are as frail and apt to offend as we our selves are; and if we be Implacable we can never reasonably hope that any will Forgive us. Besides, if we Fight, we may possibly conquer our Neighbour; but if we subdue our Passion we conquer our Selves, which is the nobler Victory in Solomons Opinion, who saith, *He that is slow to Anger is better than the Mighty, and he that ruleth his Spirit than he that taketh a City* (f). What glory was it to Old Rome, To conquer forreign Nations, while she was a Captive to Vice? as S. Austin speaks. And what Credit doth he gain who hath strength enough to Foil his Adversary, but not Reason enough to overcome his own inordinate Appetites? Or why should it not be as truly dishonourable to be a Passionate Fool, as a Coward? But it will be said, there is no room for Forgiveness, because your Adversary is a Malicious Person, and not likely to Repent or ask Forgiveness. I Answer, Either this is your own surmize only, and then it is hard that

(f) Prov. XVI.

32.

Sibi imperare
maximum est
imperium.

Sen. epist. 113.

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that a Man must pay his Life for supposed Malice; or else it is manifest to others, as well as you, that your Enemy is a spiteful Malicious Person, and then no Body will believe his Slanders; he exposes his own Credit rather than yours, and you are not damnified by his Words, because all Men know, *Ill will never speaks well.* We will grant he is an Ill Man and bitterly hates you, and can you gratifie him more than to expose your Life to his Sword? Or is it any Wisdom to give him opportunity to do you a greater Mischief, because he hath done you a less? You will say, *You do not fear him; your Valour and Skill is above his:* But as the Wise Man notes, *The Race is not always to the swift, nor the Battel to the strong; but Time and Chance happens to all (g);* and when a Man puts himself out of God's Protection by an Impious Challenge, he that hath the worst Cause, and the least Valour or Skill may prove the Conqueror. O, but his bitter Words you cannot digest, you cannot think of them with any Patience. We will allow them to be very bitter, but either they were true or they were false: if they were false, it will be easie to prove them so by Reason and good Evidence, and consequently to fix the Black, but just Character of a Slanderer on your Foe: But then you ought to take care you may live to justifie your self and expose the Calumniator, because if you dye in this foolish Quarrel the
 Reproach

(g) Ecclef. IX.
 11.

Reproach may follow you to your Grave, and none that survive may be able or willing to Vindicate you. But if the Words spoken by our Enemy be true, we ought not to be angry at him who spoke the Ill Words, but at our Selves who deserved them: Nor doth it clear our Innocence to considering Men, because we dare Fight with him that Accused us, this rather proves a Man bold than guiltless, and if we get the better of our Adversary, Men will think of us just as they did before, though perhaps when they see us so desperate they will not dare say the same things; but in this there is no other pleasure, but that while a Man is really Wicked, and so accounted, he shall not be told of it, and so may perish undisturbed. I know all that send Challenges perswade themselves, that thereby they shall certainly clear their Reputation; but they are grossly mistaken, because Men that can consider, do rather suspect them to be guilty, and take their Rage at the Accuser for an Argument of a galled Conscience: *For none are more patient of Ill Words than they that least deserve them* (h); and Tacitus notes, That Nero, who was extremely apt to commit all wickedness, would never endure to bear of it (i). And are not these Gentlemen under a strange Delusion who are thought to be Criminal for that very Act, which they fancy proves them innocent, and are in danger by this Method to lose both their Lives

(h) Plin. Epist. 9. lib. 3.

(i) Tacit. Annal. lib. 15.

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and their Credit also. As for our fear of our Enemy's doing us a second Injury, if we do not Chastise him for his former Insolence, there are other ways to avoid it; we may require Satisfaction in a Legal way, and resolve for ever to abandon his Company; and if he be so Spiteful, it is our Anger and our Resentment that excites him to repeat his Abuses, which he would be soon weary of, if he saw we despised them; and perhaps our Challenge provokes him to defend that which our Patience would have made him to Recant. However, we must not Cast-away our Lives, and run upon Everlasting Damnation, to avoid the Rudeness of an Injurious Man, for that is to do a greater Mischief to our selves than we can possibly suffer from the worst of our Enemies. Nor ought any Man so much to fear the being Censured for a Coward by a Company of rash and giddy Men, as to be esteemed a desperate and unthinking Fool by the Wise and Judicious, and to be condemned for an irreligious and profligate Wretch, by the Great Judge of all the World. Nor is every Man void of Courage that will not Challenge all the Abusive Men he meets with; but his Valour is governed by Piety and Prudence, and though he dares Fight, he doth not believe this to be a lawful sort of Fighting, nor a few rash Words a just Occasion for him to expose his Life, and hazard his Hopes of Heaven. Yea, the same Man who
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out of respect to God and the Laws of his Country will not Fight a Duel, would prove himself far more stout and brave against a Public and Common Enemy in the Field, than any of these Vapouring Hectors, whose only Valour lyes in one of these Drunken Quarrels. And if a Man have Courage enough to struggle with the greatest Danger on a just occasion, he may despise the Censures which he knows he doth not deserve. To Conclude, It is evident that neither the Injury received, nor the fear of future Affronts, nor yet the Scandal of being censured for a Coward by the Fighting Man, ought to move a Wise Man or a good Christian to send a Challenge; and I have endeavoured to prove this first, because if we can prevent this, we crush this Cockatrice in the Egg, and cut off all the fatal Train of Mischiefs that otherwise will follow thereupon.

Secondly, We must Consider what the ACCEPTER of the Challenge says to Excuse himself. He pleads either he intended not to give any Affront, or that he was first provoked to it by some Words or Deeds of the Challenger; however he designed no Quarrel: But now that another hath Challenged him, he is bound in Honour to Answer him; to refuse that would ruine his Reputation, and proclaim him a Coward to all the World. He says, That

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That he only Defends himself, which is allowable by the very Law of Nature; and since he was not the Aggressor, he hopes he shall be judged Innocent whatever the Event prove.

To which we Reply, That as the Receiver makes the Thief, and the Second Blow causes the Fray; so the Acceptor causes the Duel, which would fall to the ground if he had despised this rash and impious, this foolish and desperate Message. Our Lord, who forbids him to offer this Violence, commands us not to resist it (k); yea, requires us to put up two Injuries rather than to do one; and as Tertulian well observes (l), *There is no difference between he that provokes and him that is provoked, but that the other is first in that Wickedness into which this Man follows him; but since both of them commit the same Fault, the Order will not excuse; One of them makes the Fault begin, and the other will not let it have an end. And Isidore of Peleusium in like manner affirms, That it is he who returns Evil for Evil, that makes Enmities to be Immortal* (m). Besides, the Acceptor confesses he gave the Challenger occasion to be angry, and therefore he may well bear with the Passion he hath raised, and excuse the wild effects of that Anger which he stirred up. When a Man who Raves in a Fit of a burning Fever strikes or rails at us, it moves us not to Wrath, but Pity, and alas! there is

(k) Matt. V. 39.

(l) Tertul. lib.
De patient.

(m) Isid. Peleus.
lib. 2. ep. 67.

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is a Paroxysm of Anger also (n); and we should consider the Challenger as disturbed in his Mind, and by the hot Fit of his present Rage deprived of the use of his Reason, and accordingly we should rather pity him, and wait till he come to himself again; which Generosity may possibly make him rather Embrace than Challenge us, as soon as he can Consider. *An Angry Man* (saith *Arnobius*) *is Mad for that time, he talks and doth he knows not what*——*He feels the same Motions that a Savage Beast doth* (o); and will any Wise Man call us Cowards for not Fighting with Mad Men, or setting upon a Lion and not encountering with a Roaring Bull? All prudent People will get out of the Way in such Cases, and may do it without any blemish to their Valour. And doubtless it does extremely aggravate the Accepters Fault, because he commonly returns the Answer in Cold Blood, and was capable of considering the ill Consequences of that Message, which the other would scarce have sent had he been in the same temper; the Sender may be pitied as being under the violent Transport of an unruly Passion, but what can excuse him who would expose his Life, and venture his Soul upon so Foolish an Account, when he had his Wits about him? Perhaps it will be said, *The Insolence of the Challenge put him into a Passion also*: But as *S. Basil* speaks, *How can we be angry at anothers Anger; for if his Anger were*

(n) Acts XV. 39.
παροξυσμός.

(o) Arnob. adv.
gent. lib.

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were Good, why are we displeased? If it be Evil, why do we imitate it? — Our being provoked acquits our Foe, and condemns us. Besides, if we felt our Passion begin to rise, why did we answer the provoking Message just then, when we knew we were unfit to consider and determine wisely? Or, why did we not learn by our own Infirmities to pity our Brothers Weakness; If his Challenge provokes us, we may easily believe our Injury or Affront must provoke him much more; wherefore a mutual Forgiveness were more fit than further Exasperations. And I conclude, The Man who is Challenged ought first to offer this Reconciliation, because his Words or Deeds gave the first occasion to the Quarrel, and 'tis all the Reason in the World the Submission should begin on that side from whence the Offence first came. The dishonour was in doing an Injurious thing, the acknowledging it is none at all, but tends highly to our Reputation. If it be Objected, There was no real Injury done, nor any Affront intended, it was only the Challengers Mistake. I Reply, In that Case 'tis true there is no Submission required, but however it is necessary we should rectifie so fatal a Mistake as this may prove, and if we permit him through our Pride to go on in an Error to his own ruine, which he might so easily have been convinced of, we are extremely, if not inexcusably guilty. If we saw our Neighbour running on towards,
and

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and like to fall into a Whirlpool, which he did not discover, we should think it our Duty to catch hold of him and prevent the Mischief; and shall we suffer him to run on to Death and Damnation, rather than we will condescend to take a little Pains to remove those Misapprehensions which we helped to create? *Solomon* tells us, If we forbear to deliver those who are ready to be slain, God will render us according to our Works (p); and *Seneca* declares, *He that can save a Man ready to perish, and will not, murders him*: So that if there be a Mistake, we must take time to inform our Adversary rightly; But if the Party Challenged did manifestly and really Injure or Affront the Challenger, Then to Accept the Challenge is to justify one Wickedness by another; in that Case we are bound by the Laws of JESUS, and by all our Hopes of Heaven, to ask Forgiveness and offer Satisfaction. There can be nothing more Atheistical and Unjust than first to do an Ill thing, and then to defend it with the hazard of our Lives, to resolve to dye rather than do our Neighbour right; or to add Murther to our Slander and Injustice: This argues such habitual Impiety, and is such an Evidence of one who is hardened in his Wickedness, that if he survive the Combat, he ought to be Infamous and disowned by all Civil Company; and if he dye in the defence of his Injustice and under his Neighbours de-

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served

(p) Prov. XXIV.
ver. 11, 12.

served Displeasure, he leaves no hopes behind him of his being like to be Forgiven, because God hath assured us he will not Pardon us till our injured Brother be reconciled to us. And surely we abuse the glorious Names of *Fortitude* and *Valour*, to apply them to Men destitute of both Honour and Conscience, as well as Piety and Religion; to give these Titles to profligate Wretches, because they dare defie God and abuse all Men, and fear neither God nor Man, but are bold enough to venture on and defend the basest Actions; and not only despise the Laws of Man, but also the Vengeance of Eternal Fire. The Reputation gotten by such desperate Courage is but like the Valour of Thieves and Pirates when they boldly Fight to defend their Ill-gotten Goods, whose Persons are so infamous for their Dishonesty, that none of their Actions can procure them the Character of Brave and Worthy Men. The Orator tells us, *He is truly Valiant, not who dares do Injuries, but he who dares hinder them* (q). He is not to be called a Coward that will not fight in a wrongful Cause, and a Man of Worthy Principles had rather be thought to want Courage, than to be destitute of common Honesty; yet none will censure him who will not by the Sword defend the Wrong he hath done, but such as are themselves Impious and Unjust, whose Censures and Reproaches we must learn to despise; or else we must fear

(q) Cicer. de
Offic. lib. 1.

to do Just and Worthy Actions, lest they should deride us for not daring to do Unjustly; that is, for not being as wicked as themselves. Indeed, the great Mistake which creates all this Mischief is the common Error concerning the Notion of *Honour*, which those who engage in Duels fancy, to be the Commendations and Praise of the Mobile, or however of vicious and unthinking Men; but *True Honour*, is the agreeing Commendations of good Men, and the impartial Testimony of them that judge rightly concerning that which is truly *Vertuous* (r). This is solid and substantial Honour, the other only Imaginary and Fantastic, soon expiring into Air and Nothing. The Vertuous and Eminent, the Judicious and valuable Part of Mankind do all agree in Condemning this rash and desperate sort of Valour, and think if our Courage did not far exceed our Discretion we would not give or accept a Challenge. The thing is evil in it self, and by engaging in it we forfeit our Credit with all those, whose Praises are valued and believed; and the Honour which we fancy we get, is only the Commendation of Men contemptible either for their Ignorance or their Vices, whose good Opinion and good Character of us will argue us so like them, that it is really a disgrace; and therefore *Synefius* was highly pleased when an Infamous Man publicly reviled him, saying, *He did him a great Honour in declaring he was not of this Revilers*

(r) Cicer. Tusc. cul. quest. lib. 3.

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Humor (s). And do we think such Mens Praises worth the venture of our Lives and Souls? Or are we so afraid of their Censure, that we had rather dye than endure it? Alas! this sort of Mens hearty and constant Comendations are not to be purchased by one single Act of Wickedness, we must not only Fight on every slight occasion, but also Drink and Swear, defie Heaven, and be in all things else as lewd and profligate as they are, or they will fix reproachful Names upon us, and do their utmost to disparage us; wherefore we had better begin early to glory in that Disgrace which they would cast upon us, and to despise their Contempt and the Character they give of us. If they call us dastardly Cowards, and pitiful sneaking Fellows, we must bear it patiently till there be a wise and a just occasion to shew the Falseness of this unjust Charge. When our Lives or our Goods are in danger to be taken away by Thieves and Robbers, or our Friend falls into some great Peril; when our Country is Invaded, or our Prince engaged with Rebels at home or Enemies abroad, then we have a fair and just opportunity to shew our Valour; but we should smile at those who would call us Cowards for not leaping into a raging Fire, or not casting our selves headlong from a Rock in the Sea, because we were dared to do these things by a Man who intended to destroy himself. It was well observed by the
brave

brave *Alexander Severus*, when his Souldiers being angry at his strict Discipline drew their Swords at him: *It is no Argument* (saith he) *of your Valour to stretch out those right Hands against your General, which if you were truly Valiant you would lift up against the Enemies of Rome* (t). The *Egyptians* of old (u), and the *Turks* at this day (w), are not permitted to wear Swords in Times of Peace, because they think the only use of them is against foreign Foes, and not against their Fellow-Subjects. And perhaps it might be a good expedient to make it Capital for any Man who had once used a Sword in one of these Quarrels, to wear one for ever after. The Scholiast upon *Lycophron* tells us, that *Prætus* and *Jobates* having eat at the same Table with *Bellerophon* durst not kill him themselves, *Because* (saith he) *it was of old thought very Impious for them that had Eat together to kill each other, unless it hapned against Their will.* But we see Men who are Relations, Neighbours, Countrymen, and seeming Friends; by a false Notion of Honour, counting it a piece of Reputation to fight with and kill each other upon the most trivial Differences imaginable; whereas in truth they are made infamous by these Engagements for ever after. The Valour that procures true Honour is, when no difficulty or danger can hinder us from doing a just and generous Action, nor no Force constrain us to do

(t) Lamprid.
in vit. Alex. Sev.
pag. 580.
(u) Isid. Peleus.
l. 1. ep. 40.
(w) Bellon.
observ. lib. 3.
cap. 17.

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do a base and unjust Thing; which last sort of Valour the Empress *Eudoxia* was constrain'd to own in *S. Chrysostom*, who would not be brought by all her Menaces to act against his Conscience; *In vain* (saith she) *do we hope to terrifie this Man, who fears nothing but Sin.* And a Pious Man who will not accept a Challenge, because he thinks it unlawful, may be more truly Valiant than he that embraces it; for he is more fit for Death, and therefore less afraid of it than a Vapouring Debauchée; he hath not less Courage, but more Religion and Discretion, and therefore he will not pawn his Life and his Soul upon every trifling occasion. It is truly Honourable to be Wise and Patient, to fear the Wrath of God and despise the Anger of Fools; to consider whether there be a just Cause before he rush upon any danger; and they who think to gain Honour by Atheistical desperateness and furious Precipitancy, will pay dear at last for their fatal Mistake. Finally, As for that weak Pretence, That he who Accepts the Challenge only defends himself; It is to be considered how he comes to be Assaulted; He might have been safe and would not, but voluntarily thrust himself into Danger: He went to the place and kept the time, though he foresaw the peril his Life was like to be in. In this Case, though the defence of a mans self were innocent, the Folly that exposed him to the Assault is very Criminal. Besides, this is
not

not barely Self-defence, because the Acceptor of the Challenge comes prepared to kill the Challenger if he can, and hopes to get the Reputation of a braver Man by doing so: Wherefore to put a Mans own Life needlessly into such apparent Danger, and to make it wilfully to be necessary either to Kill or be Killed, is inexcusable Folly and Impiety. The Duellist was not about his lawful occasions in all probability when this Quarrel hapned; he was engaged in Drink or Gaming, or had run into vicious and lewd Company, and by his own Folly and Fault brought himself first into this Danger, and by a little Humility and Patience he might have kept himself safe, and been thought a Wiser and Better Man for doing so; and can he imagine when by one Sin he hath made another necessary, that this Necessity shall extenuate or excuse both his Crimes. Besides, this kind of Self-defence, which is not to be performed without the hazard of Two Lives, is against the Laws both of God and Man, and there had been no occasion for it unless we had first broken the Commands of both. We see that Vertuous and Wise Men, who attend the Service of God, and follow the business of their Callings, are sufficiently secured by Providence and their Country Laws: These Men scarce ever have any need to make or answer Challenges. Men useful and truly Good and Eminent are never engaged in these
dis-

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disgraceful Frays, which are one part of *Their* Punishment who lead idle and vicious Lives, and keep wicked and infamous Company, and whoever doth so, loses more Honour by his course of Life and that vile Society than ever he can get by coming off a Conqueror, and indeed he need not Huff so extremely for any thing that touches his Honour, because they that live at this rate have no Honour to lose, and have disgraced themselves so manifestly, that nothing but renouncing their Ill courses and Company can ever redeem their Reputation; their Swords will not set up what their Vices and Follies have so utterly ruined. And if the refusing a desperate Challenge would oblige such a Man to quit that Company where he gave the occasion, it would be the happiest sort of Disgrace that ever beset him, and might be a means to restore him to a solid and lasting Reputation. Wherefore without any Concern how the Bullies of the Town shall resent it, I would have him that is Challenged, to labour to rectifie all his Adversaries Mistakes, and withal to let him know, that he judges it neither Wise nor Pious, Lawful nor Creditable to Fight upon such occasions; that if he can prove he hath really Injured him, he will make him any reasonable Satisfaction; and if that will not content him, to declare, that while he falsely brands him with the Name of *Coward*, He must to all Persons publish him to be a
Passionate,

Passionate, a Desperate and Implacable Man, and will avoid his Company and despise his Reproaches for ever after. And if after this, Our furious Enemy shall set upon us unexpectedly, then it is undoubtedly as lawful to defend our selves against his bloody Attempt, as against a Russian or mercenary Assassin; and if in our defence we should then kill him, the Laws of God and Man will acquit us, and condemn him as guilty of his own Murder. Nor need any Man fear, that one good or wise Man will censure him for refusing a foolish and furious Challenge in this Manner, because in so Doing he shews a great Fear of God, a Concern for his Immortal Soul; He expresses a great Reverence for the Laws of the Land, and a mighty Aversion to do any thing that is Evil: All which are and ever will be Honourable among considering Men, and the Opinion of all others (as we have shewed) is to be despised.

Lastly, As if the Lives of the two Principals were not a Price sufficient to stake upon so frivolous an Occasion, and two Souls were too small a Venture, The Custom is to draw in two more into these barbarous and bloody Frays, whom they call SECONDS, and these hope to excuse themselves by saying, They had no hand in the Quarrel, and come to the Field free from Malice, that they would

H have

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have staid at home, but that it was neither honourable nor kind to deny the Importunity of their Friend, or to leave him when he was in circumstances of Danger. That their business is only to see fair Play (for so foul Murder must be termed) and to prevent the Opposite Party from taking any Cowardly advantage of him whose Quarrel they espouse, and 'tis well if the Example of *Py'ades* and *Orestes* come not in to help out the slim Apology.

In Answer to which I must first observe, That when our Ancestors could not totally root out the inveterate and barbarous Custom of ending Controversies by the Sword, they brought it under the best Rules they could, and therefore they appointed Judges and Tryers of these Combats, who were to see that the Orders of Combating were duly observed, and upon occasion to prevent the effusion of Blood by taking off the Champions yet alive, and declaring whether of them had the Victory. These Judges in Combats, allowed by the Court of Honour, were the Marshal and the Constable of *England*; or the King himself, if present, might end the Duel by throwing down a Silver Wand. And in Combats appointed by the Civil Courts, two Knights were chosen Tryers, and the Lord Chief Justice was to order the Champions to be

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be taken off and to give Sentence (x). From whence perhaps the usage of choosing Seconds in private and illegal Duels might come; and if so (like all things that are left to Mens private Fancies) they are shamefully degenerated from their Original. For these are not meer By-standers, or Judges, nor do they go with any intention to take off their Friends before either of them be slain: But these commonly, as soon as the Principals are engaged, desperately fall upon one another, and though they be meer Strangers to each other, or however have no Quarrel between them to decide, they do almost as often wound or kill each other as those who began the Mischief; and are so far from saving their Friends Life, that in a meer Bravado, and for a Trial of Skill, they do often wickedly and wilfully cast away their own. And in that Case all that I have said of the Rashness and Impiety, the Folly and the Guilt of the Challenger and Acceptor doth equally belong to them, their Sin is as great, and their Punishment will be the same. Though there are some peculiar Points of Imprudence and Impiety besides, which are proper to these Seconds, the consideration of which I hope may secure them against so needless and inexcusable Engagements: For they may justly be reckoned guilty of the Blood that is spilt, because they knew of the intended Fray, and did wickedly conceal it,

H 2

whereas

(x) Spelm. Gloss.
far. verb. Cam-
piones.

Fitzherbert de
Nat. Brev. fol. 4.

(y) Leg. Valentis Imperat. & Nicet Choniar. in Mich. Commeno.

(2) Deut. XXI. 7.

(2) Concil. Trid. Sess. 25. cap. 19.

whereas they were bound by the Laws of God and Man to have revealed it, and thereby might have prevented it: And the *Roman* Law makes him guilty of the Mischiefs of a Fire, not only who kindled it, but who might and would not quench it (y). However, the Seconds being no way concerned in the Quarrel ought to have laboured to reconcile the Parties before they had gone to the Field, or have taken them off at least before any Mischief were done. For to stand by and look on while a Man is slain, makes us guilty of the Murder, not only according to the Laws of this Land (which allow no Accessories in Murder, but make all that are present Principals) but also by Gods Law, where a Man being found slain by an unknown hand, the Elders of the next Town were to Swear, not only that their Hands did not shed that Blood, but their Eyes had not seen the spilling of it (2). Upon which ground the Council of *Trent* declares The Seconds in these Duels to be Murderers, and lays the same Punishment on them as on the Principals; Decreeing, that all who are of Counsel in these Frays, and all the Spectators shall be Excommunicated (a). But neither the Laws of God or Man have yet been able to prevent these Mischiefs; for we see Persons in cold Blood, without any Passion, or any preceding Difference (under the Notion of Friends to the Principals) assault each other, hazard

hazard their own and attempt the others Life, for which they can make none of those Excuses which the Quarrelling Parties pretend; but if they kill their Opposite they are wilful and deliberate Murtherers, and if they be killed they have voluntarily and needlessly cast away their own Lives, and dying in that as well as other Sins unrepented of, there can scarce be any hopes of their Salvation. I know their usual Apology is, That the Principal was their Friend; but he would not have been so, if they had taken *Solomons* Advice, who bids us, *Make no Friendship with an Angry Man* (b), for his Friendship will lead us into Mischief will we enjoy it, and a small matter will make him turn our Foe; and one of this Humor, if we come off safe from this days mischief, may perhaps Challenge us to Morrow. I am sure it argues Men to be very weak who choose Men for their Friends, who will so lightly hazard their own Lives and theirs also; and if our denying to joyn with them in this damnable Sin would break the Friendship, we should thereby do our selves a mighty Kindness, and escape a great many Mischiefs thereby. Nor ought we to be concerned for parting with such a Friend whose Favour is better lost than kept, and who will not be our Friend unless we will be as desperate and wicked as he is now, and will go with him to the Infernal Regions at last for
Com-

(b) Prov. XXII.
24.

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Company. The *Romans* of old used to kill a Great Mans Slaves when their Master died, as one part of the Solemnity of his Funeral; but if we do call this Man our Friend, he must not expect we should have the Fate of the worst sort of Vassals, to be slain with him for Ceremony sake. I grant true Friendship doth oblige us to venture our Lives to rescue a dear and worthy Friend out of any danger which he involuntarily falls into, and it was a noble Generosity in the two *Grecian* Friends when the one was condemned to dye, for the other to offer to dye for his Ransom: But if I have a rash and quarrellsome Friend, who in his Drink or Rage wilfully exposes his own Life to danger, there is no Reason why he should have power to expose mine too, or that I should make him the disposer of my Blood who is so unnecessarily prodigal of his own. We do not think our selves obliged to give all our own Estate to one that is our Friend, who hath spent his own in Riot and Excess; and are not our Lives dearer to us than our Estates? Or (in our Lords words) *is not the Life more than Meat, and the Body than Rayment* (c); why then should any Friend of ours expect to have the disposal of these upon every capricious Humor? Besides, if we would be so rash as to grant this, we must remember it is not in our power, for our Lives are not our own, and

(c) Matth. VI.
25.

and without an Injury to God, that gave us them, we cannot expose them our selves on such an occasion, much less can we give another this power. Furthermore, As to the Obligations of Friendship we must consider, that we are bound to do nothing at our Friends request, but what is lawful and honest; we are not to joyn with a Man in Theft or Perjury, in Treason or Rebellion, because he is our Friend, and there is the same Reason why we must not joyn with him in that which the Laws of God and Man determine to be Murder, that is, in these rash and impious Duels. If this pretended Friend, whose Interest engages us in so ill an Action, were a good Man, he would not desire us to joyn with him; and if he be an Ill Man, why did we make him our Friend, or why are we afraid of losing his Favour? If he had any true kindness for us, or our Family and Relations, he would not expose us to so much Mischief, and them to so much Sorrow on a frivolous account; and if he have no more value for us and ours, doth he deserve we should at once venture all our Worldly Comforts and our Hopes of Heaven for him? Perhaps you will say, That you had promised to abet his Cause before you considered these Things, and thought it a dirty thing to break your Word: But all the Casuists in the World agree, That if we have promised to do a wicked

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(d) Matth. XIV.
9.

(e) Ambros. de
Off. lib. 3.
cap. 12.

(e) Isidor. Hisp.

(g) Justin. In-
stit. lib. 3.
Tit. 20, §. 23.

(h) S. Matth.
XV. 5:

wicked Thing, we must not perform it; though it were bound by an Oath, and therefore *Herod* did ill to promise to Murder *Saint John Baptist*, but worse in performing it (d). A good Man (saith *S. Ambrose*) will not promise an unjust thing, or if he hath, it is more tolerable to break a bad Promise than do a base Action (e): And *Isidore* Advises; In evil Promises we should change our purpose, and that is an evil Promise which cannot be satisfied without Sin (f). *Justinian* also determines, That if a Man promise to do any Wickedness, as Man-slaughter, or Sacrilege, the Promise is null and invalid (g). We must repent of the Promise, for that was one Sin, and must not commit a greater in performing it. We had vowed obedience to Gods Laws before, and among the rest had promised to do no Murder, and therefore we cannot be obliged by any After-engagement, contrary to this; because the first Promise ought to stand. And if this were not so, any Man might easily free himself from his Duty to God in any Instance, that is, by Promising or Vowing something contrary to it. This is the very thing which our Lord condemn'd the Pharisees for, who taught, That a Son might be excused from Relieving his Parents, if he had promised his Goods to the *Corban* (h). Add to this what is observed by the Civilians and Canonists, who declare, That those Facts which hurt a
mans

mans Piety, his Credit, or his Modesty, or are against good Manners, these things are reckoned among things impossible to be done (i). And, It is to be accounted we cannot do those things at all, which we cannot do honestly (k); and the Reason is, because of our Original obligation to be Vertuous and Just: So that no Friendship, no Promise, nor Oath can bind us to engage in an impious and unlawful Quarrel, wherein we hazard our Lives and our Immortal Souls. Finally, As to the fear of Disgrace, and the Character of a Coward, if we deny our Friend; or fail him in such a Case, I need not Repeat what I have said already: But since we do a Wise and Pious Act, God and good Men will honour and esteem us for it, and the Reproach of those Ill Men who will censure us, is truly our Honour and Commendation. It is a greater Blemish to these Gentlemens Reputation to keep such Ill Company as intangles them in these Miscchiefs, than it is to deny to venture their Lives in a Quarrel wherein they are no way concerned. Nor can a Mans Courage be called in question for not engaging among Huffs and Hectors any more, than for not Fighting among every Company of Boys who are by the Ears in the Street, or for not running in to make One at all the Scuffles he sees among Porters and Carr-Men. These Men may shew their Wisdom and

(i) Papinian.

L. filius 15.

de Cond. inst.

(k) Gratian.

gloss. 22. qu. 2.

Cap. faciat.

and Courage too, when a brave and deserving Man by Misfortune is overpowered by Number, or Assaulted by design; but there is so much inexcusable Folly in thrusting ones self into needless Danger to serve a desperate and quarrelsome Bravo, that the Dishonour we shall get by the imprudence of the Act will be far more than the Credit we can gain for the boldness of it. You will ask, What a Man must do when he is invited by his Friend to joyn with him? I Reply, He ought to set before him the Folly and Impiety of Duelling, with all the mischievous Effects of it, and to offer himself as a Mediator to take up the Quarrel and make them Friends; and if the Person slight his Discourse and scorn his prudent and kind Motion, he hath much more Reason to deny the unreasonable Request of so wicked and implacable a Man; and if the desired Second have not interest enough in this Pretended Friend, to keep him from rushing upon so great a Mischief, the Fighter cannot expect his Interest should prevail with an unconcerned Man, to run into that Evil which he would dissuade him from. His denying you should take up the Quarrel, justifies you in denying to make your self any Party in it.

And

And now I have Answered all the Allegations I can imagine, and proved it absolutely and in all Cases unlawful to be concerned either as *Challenger*, *Acceptor*, or *Seconds* in these Extra-judicial Duels; I shall Conclude with a serious Address to all that have been engaged in them, seriously to Repent of their Sin and Folly, for the Venture is inexcusable whatever the Event was; and though Providence hath brought you off, yet it is your Duty to consider how miserable and without remedy your Estate had been, if you had died in so great a Sin without any possibility of Repentance: The King may pardon the Offence against his Laws, or you may by Flight avoid human Justice; but there is no escaping Gods Tribunal, and yet no enduring of his terrible and amazing Vengeance. You cannot endure a Blow or a Bruise from your perhaps undesigning Neighbour, How then could you dwell with *Everlasting Burnings* (l)? You are so nice of your Honour, that you choose Death rather than live under the least seeming Disgrace; but how then will you abide that endless Shame and Contempt which must be the Portion of all that dye without Repentance (m)? The consideration whereof I hope will be a warning to you never to run into that Danger again, from which you have been once so happily

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happily and undeservedly Rescued. As for those who yet are Innocent, and have not engaged in these Unchristian Practices, it is highly their Duty and their Interest to take special Care they may be Innocent still, and avoid those Vices and that Company which draws others into this Snare: If they would be Sober and Vertuous, and choose their Society of those who are so, of which this Nation affords (Blessed be God) very great plenty, they would be in no danger of sending or receiving Challenges; these Men are neither apt to give, nor yet to take Offence, or if such a thing happen the Matter is soon taken up. And if we be observed to love and frequent the Company of vicious and debauched Persons, we shall probably become and certainly be thought to be like them, and then we may Abuse our selves (as we please) with talking big of our Honour; but indeed we have no Honour to lose, for (whatever our Quality be) our Credit is gone beyond the possibility of being recovered by a Duel, and we must Challenge all the Wise and Good Men who know us, if we will Fight with all that think and speak of us as we really deserve, and yet all that would not mend our Reputation one Jot. Wherefore we must rectifie our Notions of Honour, and count nothing Honourable but what raises our Esteem with God and Good Men, and nothing

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nothing Shameful, but what is Foolish and Wicked; and then we shall judge it a greater Blemish to our Honour to engage in a Duel, than some Men fancy it is to avoid it. I am sure Christianity is in bad Circumstances so long as Men dare make it Infamous to obey the Rules of the Gospel, and count it a Disgrace to act like Pious and Considering Persons. Nor do we give His MAJESTY and His Laws that Reverence and Regard that is due to them, while any shall presume to glory in having broken his express Commands, and take it for a Mark of their Bravery and Honour, that they have trampled upon the Laws, and taken no Notice of those who are appointed to right all our Wrongs. There is no Family secure, but its blooming Hopes, or its main Support may be suddenly cut off; there is no Man safe that himself, or his nearest Friend may not in a moment be destroyed, if this Barbarous Custom be not restrained. And therefore it is the Interest of Religion, and the Interest of the Government; the Interest of all Eminent Families, and of every Good Man, that some effectual Course be taken utterly to banish Duels from our Country and Nation, that they may never more rob the State of Courageous Men, nor ruine Families, nor destroy Bodies and Souls at once among us, as too often they have done. And while those in Authority contrive Public
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Remedies for this destructive Evil, we in our private Capacities must prevent them to the utmost of our power, and perswade all that we Value and Love never to engage in them, and then we may hope to see a general Reformation of this intolerable Disorder. Which God grant, for our Lord Jesus sake: AMEN.

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